GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Agriculture & Cooperation Department – Cooperative Societies - Amendments to the Andhra Pradesh Co-operative Societies (APCS) Rules, 1964 – Notification – Orders - Issued.

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AGRICULTURE & COOPERATION (COOP-III) DEPARTMENT

G.O.Ms.No.44. Dated:09.08.2023.

Read the following:-

1). The Andhra Pradesh Co-operative Societies Rules, 1964 issued in G.O.Ms.No.1941, Food & Agriculture Department, dated 27th July, 1964.

2). Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Guntur, Letter Rc.No.AGC06-14021/1/2021-LM-CCRCS, dated 04.02.2023.

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ORDER:

In the reference second read above, the Commissioner for Cooperation & Registrar of Co-operative Societies, Guntur, Andhra Pradesh has proposed to amend the Rules 8, 15, 22(A)(1), 22-A(3)(a), 22(A)(5), 22-AA, 22-AAA, 24 (4), 28 (8) & 75 (15) of the Andhra Pradesh Cooperative Societies (APCS) Rules, 1964.

2. After careful examination of the proposal, Government hereby issue certain amendments to the Andhra Pradesh Cooperative Societies (APCS) Rules, 1964.

3. The amendments hereby made shall come into force from the date of publication in the Andhra Pradesh Gazette.

4. Accordingly, the following notification will be published in an Extra-Ordinary Issue of the Andhra Pradesh Gazette Dated:09.08.2023:

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 130 of the Andhra Pradesh Co-operative Societies Act, 1964, the Government hereby make the following amendment to the Andhra Pradesh Co-operative Societies Rules, 1964 issued in G.O.Ms.No.1941, Food & Agriculture Department, dated 27th July 1964 and as subsequently amended from time to time:

AMENDMENTS

In the said rules,-

For sub-rule (3) of Rule 8, the following shall be substituted, namely,-

" Every notice under sub-rule (2) shall be sent to its members and creditors by registered post or personal delivery or by its publication in local leading newspaper (district edition) and also its publication on the notice board of the society, gram panchayat/ Municipality, MPDO office and Tahsildar office."

(P.T.O)

2. For Rule 15, the following shall be substituted, namely,-

"15. Restriction on holding shares:- Where the liability of member of a society is limited by shares, no member, other than a society or the Government shall hold more than one fifth of the share capital of the society.

Provided further that in the case of a Cooperative Urban Bank, individual share holding of a member shall not exceed One twentieth of total paid share capital of the Bank."

3. In the table, for the entries against Serial Numbers 1 to 4 and the corresponding entries in column (1) to (12) of rule 22 (A)(1), the following shall be substituted, namely,-

"22(A)(1). **Constitution of Committee of certain societies.** - The constitution of the committee of the societies notified under clause (b) of sub-section (1) of Section 31 as specified in the proviso thereunder shall be constituted with the number of members as indicated in the Table below.

Table

Sl. No.	Class of Societies	Total No. of seats	SCs	SCs (W)	STs	BCs	OCs	OCs (W)	By nomination	By Cooption	Ex-Officio
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
1.	Primary Agricultural Cooperative Societies by whatever name called for.	13	1	1	1	2	7	1	-	-	-
	(a) Professional Directors from the field of Agriculture, Dairy / Veterinary, Banking, Marketing, Chartered Accountancy, Tax Audit, Horticulture, Fisheries and allied sectors and Agriculture, Horticulture, Fisheries and Veterinary Assistants of Grama Sachivalayams in the area of operation of PACS to be co-opted.	5	-	-	-	-	-	-	-	5	-

Contd...P.3.

	(b) One representative from DCCB to be nominated by DCCB	1	-	-	-	-	-	-	1	-	-
	(c) CEO of the PACS will be the Ex-Officio member on their Board.	1	-	-	-	-	-	-	-	-	1
	Total	20	1	1	1	2	7	1	1	5	1

Farmers Service Cooperative Societies (FSCS)

Sl. No. 2 omitted.

Sl. No.	Class of Societies	Total No. of seats	SCs	SC (W)	STs	BCs	OCs	OCs (W)	By nomina-tion	By Coop-tion		Ex-Officio
	Coop. Central Banks											
3.	(A) Territorial societies consisting of Primary Agrl. Coop. Societies by whatever name called for.	16	3	-	1	2	10		-	-	-	-
	(B) Functional Societies, Societies other than those in Group A. The employees cooperative Credit Societies not to contest for more than one seat.	5	1	-	1	2	1		-	-	-	-
	(C) Official representative to be nominated by the Registrar as long as the equity of Government continues in the Bank	1	-	-	-	-	-		-	1	-	-
	(D) Professional Directors having expertise in fields of Agriculture, Horticulture and allied areas / Banking / Chartered	7	-	-	-	-	-		-	-	7	-

Contd...P.4.

	Accountant, Finance and allied sectors and to be co-opted										
	(E) One representative from APCOB to be nominated by APEX Bank.	1	-	-	-	-	-	-	1	-	-
	(F) CEO of the DCCB will be the Ex-Officio member on their Board.	1	-	-	-	-	-	-	-	-	1
	Total	31	4	-	2	4	11	-	2	7	1

Sl. No.	Class of Societies	Total No. of seats	SCs	SC (W)	STs	BCs	OCs	OCs (W)	By nomin-ation	By Coop-tion	Ex-Officio
4.	District Cooperative Marketing Societies										
	(A) Primary Agricultural Cooperative Societies by whatever name called for	6	1	-	1	1	3	-	-	-	-
	(B) Other Societies	4	1	-	-	1	2	-	-	-	-
	(C) Represen-tative of District Cooperative Central Bank to be nominated by the Registrar of Cooperative Societies	1	-	-	-	-	-	-	1	-	-
	(D) Official representative to be nominated by the Registrar of Cooperative Societies (or progressive farmer)	2	-	-	-	-	-	-	2	-	-
	(E) Professional Directors from Agriculture, Marketing, Agro Processing, Rural Finance Management to be co-opted.	3	-	-	-	-	-	-	-	3	-

Contd...P.5.

	(F) One representative from MARKFED to be nominated by MARKFED.	1	-	-	-	-	-	-	1	-	-
	(G) Business Manager of the DCMS will be the Ex-Officio member on their Board.	1	-	-	-	-	-	-	-	-	1
	Total	18	2	-	1	2	5	-	4	3	1"

4. For clause (a) of sub rule (3) of Rule 22-A, the following shall be substituted, namely,-

"(a) In the case of Primary Agricultural Co-operative Societies, such as Primary Agricultural Co-operative Credit Societies, Farmers Service Co-operative Societies, Large Sized Co-operative Societies and to such class of societies as specified by Registrar, constituencies shall be formed on territorial basis consisting of as many groups of contiguous Rythu Bharosa Kendras (RBKs) as are equal to the number of seats to be elected. The eligible members in the society shall be arranged separately Rythu Bharosa Kendra (RBK)-wise and general number-wise within each Rythu Bharosa Kendra (RBK). For the purpose of carving out the territorial constituencies the area of Rythu Bharosa Kendra (RBK) wherein the seat of the society is located shall be the starting point. The contiguous Rythu Bharosa Kendras (RBKs) which are in the North-East direction should be grouped into different constituencies with the number of voters in each such constituency being approximately equal. Any member remaining after such division shall be added to the last part. Where the number of eligible voters in a Rythu Bharosa Kendras (RBKs) are to be allotted to more than one constituency, the general number shall be the criteria for dividing the electoral roll. Where the area of operation of the society is confined to a Rythu Bharosa Kendra (RBK) or a part of the Rythu Bharosa Kendra (RBK), the electoral roll shall be divided into as many parts as there are members to be elected and each such part shall be a constituency and any members remaining after such divisions shall be added to the last part. The members in each such territorial constituency shall elect one member to the committee. The Chief Executive Officer shall prepare the territorial map of the society de-marking the Rythu Bharosa Kendras (RBKs) in the area of operation and also furnish the list of total territorial constituencies with the list of members Rythu Bharosa Kendra (RBK) wise to the election officer.

Provided that in villages where RBKs are not constituted, the revenue village shall continue to be the basis for the above purpose."

5. After 22-A(5)(d), the following new clause shall be added, namely:

"(e) The member who lose elections shall not be co-opted to the Managing Committees of Cooperative Credit Societies for that elected term."

6. Rule 22 AA – shall be omitted.

7. Rule 22 AAA – shall be omitted.

Contd...P.6.

8. For para 2 in sub-rule (4) of Rule 24, the following shall be substituted, namely,-

"Provided that the General Body of such society shall through a resolution declare that a person shall cease to be a member of the committee of the society concerned from the date of the disqualification, after providing an opportunity to the person concerned."

9. After sub-rule (7) of Rule 28, the following shall be added, namely,-

"(8) The District Cooperative Marketing Societies are exempted from rule 28 (6) and may frame such bye-laws / special bye-laws of service regulations of the District Cooperative Marketing Societies and approved by the Registrar. Every paid servant and officer of that District Cooperative Marketing Society shall retire from service on attaining the age of 60 years."

10. For sub-rule (15) of Rule 75, the following shall be substituted, namely,-

"(15) Committee for selection of Chief Executive Officers of Cooperative Central Banks & Andhra Pradesh State Cooperative Bank. - The Board of the bank shall select and appoint one among the empanelled candidates by Common Selection Committee for the post of Chief Executive Officer of DCCBs and should also undertake a process of due diligence in respect of the person relying on the information obtained from him/her before appointment.

Committee for selection of Chief Executive Officers of Cooperative Central Banks:

President of Andhra Pradesh State Cooperative Bank,
Managing Director of Andhra Pradesh State Cooperative Bank,
Registrar of Cooperative Societies of the State,
Chief General Manager/ Officer-in-charge of National Bank for Agriculture and Rural Development along with two subject experts.

Committee for selection of Chief Executive Officers of Andhra Pradesh State Cooperative Bank:

President of Andhra Pradesh State Cooperative Bank; Principal Secretary, Finance Department; Principal Secretary, Agriculture & Cooperation Department

Chief General Manager/Officer-in-charge of National Bank for Agriculture and Rural Development and Professional Director of the Board of Andhra Pradesh State Cooperative Bank."

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHIRANJIV CHOUDHARY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Printing Stationery & Stores Purchase, Vijayawada
(With a request to publish the said Notification and supply 200 copies to the Agriculture and Cooperation (Coop-III) Department).
The Commissioner for Cooperation & Registrar of Cooperative Societies,
A.P. Guntur (take necessary action in the matter accordingly).

Contd...P.7.

The Chief General Manager, NABARD, Regional Office, Hyderabad.

The Managing Director, APCOB, Vijayawada.

Copy to :-

All the District Cooperative Officers in the State of Andhra Pradesh
(through the CC&RCS, A.P., Guntur).
The Law (A) Department, A.P., Secretariat, Velagapudi.
The P.S. to the Spl. Chief Secretary to Hon'ble Chief Minister.
The P.S. to Hon'ble Minister for Agriculture & Cooperation.
The P.S. to Principal Secretary to Government (AM & C),
Agriculture & Cooperation Department.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER